

make this report under Section 12 (4) reporting failure of Conciliation Proceedings.

Yours faithfully,
K. SUBBA RAO,
Chief Conciliator.

Dated 29th March 1950.

No. L.S. 3694—L. W. 71-49-47. In pursuance of sub-section (4) of Section 12 of the Mysore Labour Act (Act XIII of 1942), His Highness the Maharaja of Mysore is pleased to direct, the publication of the following report of the Chief Conciliator in Mysore, Bangalore, in respect of failure of Conciliation Proceedings in the dispute between the Shimoga District Automobile Workers' Association, Shimoga, and the Central Karnataka Motor Co., Shimoga, in respect of a Notice of Change dated 9th October 1949 given by the Association putting forth certain demands.

By Order of His Highness the Maharaja,

B. S. PUTTASWAMY,
Secretary to Government,
Law Department.

OFFICE OF THE CHIEF CONCILIATOR IN MYSORE,
BANGALORE.

No. C. C. 26-49, dated 17th March 1950.

To

The Secretary to the Government of Mysore,
Law Department, Bangalore.

Sir,

This dispute relates to the reinstatement of Driver Narasappa who was dismissed by the Central Karnataka Motor Company, Shimoga, on 22nd August 1949. The Shimoga District Automobile Workers' Association gave a Notice of Change to the Management on 9th October 1949, urging his immediate reinstatement. The Assistant Commissioner of Labour, Bhadravati Division, could do nothing in the matter and accordingly the dispute was referred to me for instituting Conciliation Proceedings.

To-day Sri M. G. Dasacharya, Secretary, appeared for the Management while Sri M. K. Pillay, Secretary, represented the Association. The circumstances under which this Driver was dismissed were explained by Sri Dasacharya. On 10th August 1949 while returning from Harihar to Davangere, this Driver stopped the bus full of passengers with the engine running in front of a mosque on a slope and went out to see some 'Thamash'. During his absence the vehicle moved from its own momentum and capsized causing slight injuries to the passengers and damage to the bus. He had been fined twice before and warned several times in writing for disobedience, unruly behaviour, incivility to passengers, etc. The Management could not get on with him. Hence he was dismissed.

In his report to the Management, the Driver admits that when he stopped the bus and went to the side of the road to ease himself, it moved and fell into a depression. He attributes the accident to the defective hand-brake and says that none of the passengers was hurt and that only the windscreen was damaged. His subsequent statement that he had brought the non-functioning of the hand-brake to the notice of the Management long prior to the accident is altogether denied by Sri Dasacharya. Sri Pillay contended that the punishment given was grossly disproportionate to the alleged offence and that in any event, a notice of change under Section 10 (1) should have preceded the punishment. Sri Dasacharya on the other hand maintained that Section 10 (1) was not applicable, that this driver was incorrigible and that it was impossible for the Management to take him back to service. The result was a failure of the Conciliation Proceedings which I report under Section 12 (4) of the Mysore Labour Act.

Yours faithfully,

K. SUBBA RAO,
Chief Conciliator.

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Dated 31st March 1950.

No. L.S. 3737—L.W. 71-49-49. In pursuance of sub-section (4) of Section 12 of the Mysore Labour Act, (Act XIII of 1942), His Highness the Maharaja of Mysore is pleased to direct the publication of the following report of the Chief Conciliator in Mysore, Bangalore, in respect of the failure of Conciliation Proceedings in the dispute between the Shimoga District Automobile Workers' Association, Shimoga, and the Proprietors of M. R. Service and R. M. Motor Service, Shimoga, in respect of two notices of change dated 17th November 1949, given by the Association putting forth certain demands.

By Order of His Highness the Maharaja,

B. S. PUTTASWAMY,

Secretary to Government,

Law Department.

OFFICE OF THE CHIEF CONCILIATOR IN MYSORE,
BANGALORE.

Dated 16th March 1950.

To

The Secretary to the Government of Mysore,
Law Department, Bangalore.

Sir,

No. C.C. 40 & 41—49. The Shimoga District Automobile Workers' Association gave two notices of change—one to the Proprietor, M. R. Service, Shimoga, and the other to the Proprietor, R. M. Motor Service, Shimoga. Both the notices are dated 17th November 1949 and contain identical demands which are reproduced below:—

1. ದ್ರೋವರುಗಳಿಗೆ 60 ರೂ. ಬೆಸಿಕ್ ಸಂಬಳ ಇರಬೇಕು. ಅವರ 60-5-100 ರೂ. ಗ್ರೇಡಿನ ಮೇಲೆ ನೇಮಕವೇಕು. ಕಂಡಕರುಗಳಿಗೆ 30 ರೂ. ಬೆಸಿಕ್ ಸಂಬಳ ಇರಬೇಕು. ಅವರನ್ನು 30 2-15 ರೂ. ಗ್ರೇಡಿನ ಮೇಲೆ ನೇಮಕವೇಕು. ಕ್ಲಿನಿಕರುಗಳಿಗೆ 15 ರೂ. ಬೆಸಿಕ್ ಸಂಬಳ ಇರಬೇಕು. ಅವರನ್ನು 15-1-25 ರೂ. ಗ್ರೇಡಿನ ಮೇಲೆ ನೇಮಕವೇಕು. ಮೆಕ್ಯಾನಿಕ್‌ಗಳಿಗೆ 100 ರೂ. ಬೆಸಿಕ್ ಸಂಬಳ ಇರಬೇಕು. ಅವರನ್ನು 100-10-150 ರೂ. ಗ್ರೇಡಿನ ಮೇಲೆ ನೇಮಕವೇಕು.
2. ದಿನ ಭತ್ಯೆವನ್ನು ವಾಷನ್ ಬರಾವ ಗಾಡಿಯು ದ್ವಿವರ್ ಕಂಡಕರುಗಳಿಗೆ 1-8-0 ರೂ. ಕೊಡಬೇಕು. ಹಾಲ್ವಿಂಗ್ ಗಾಡಿಯು ದ್ವಿವರ್ ಕಂಡಕರುಗಳಿಗೆ 2 ರೂ. ಯಂತ್ರಿ ಕೊಡಬೇಕು.
3. ಸರ್ಕಾರಿ ನೌಕರರಿಗೆ ಕೊಡುವಂತೆ ಎಲ್ಲರಿಗೂ ತುಟ್ಟಭತ್ಯೆ ಕೊಡಬೇಕು.
4. ಗ್ಯಾಸ್ ಗಾಡಿಯಲ್ಲಿ ಕೆಲಸ ಮಾಡುವ ದ್ವಿವರ್ ಕಂಡಕರುಗಳಿಗೆ ಆ ಸಂಬಳದ ಜೊತೆಯಲ್ಲಿ 10 ರೂ. ಯಂತ್ರಿ ಪೀಠಿಕೆಯನ್ನು ಕೊಡಬೇಕು.
5. ಪ್ರಾವಿಡೆಂಟ್ ಫಂಡ್ ನಿಲಂ ಜಾರಿಗೆ ತರಬೇಕು.
6. ವರ್ಷಕ್ಕೆ ಒಂದು ತಿಂಗಳು ಸಂಬಳದ ರಜೆ ಕೊಡಬೇಕು.

The Assistant Commissioner of Labour, Bhadrav Division, made two attempts to negotiate between the parties. But the Proprietors withheld their co-operation absents themselves on both the dates fixed by him. The result was that both the disputes were referred to this office for initiating Conciliation Proceedings. On 14th December 1949 my predecessor in office who was then acting as Chief Conciliator issued instructions to the Assistant Commissioner of Labour through the Commissioner of Labour that one more attempt be made to bring the parties together with a view to bring about a settlement. A report has not been received from him and it reads as under:—

"I write to state that the Proprietors of B. R. K., R. M. M. R., and Janatha Motor Services did not appear before me for negotiations on 6th January 1950 at this office at 12-30 P.M. in spite of my repeated requests, and as such no agreement could be brought about between the parties.

In this connection I write to state that the Proprietors of the abovesaid Transport Services are deliberately negligent in entering into any healthy agreement for improving the conditions of labour though the Labourers involved in this industry are grumbling and get their grievances set right early.

Such being the case, in view of the disturbed condition of industrial relations existing in their industry and the proprietors for not making themselves amicable to any healthy settlement of the Industrial disputes in the interest of all the parties concerned I request you kindly to make suitable recommendations to the Government in the Transport Department to cancel their licenses immediately.

However, I request you kindly to refer the said Notice of change to the Chief Conciliator in Mysore, to initiate conciliation proceedings.